



**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097**

RODNEY K. HARAGA
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IN REPLY REFER TO:

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

HAWAII

**DIRECT ISSUANCE OF A REVOCABLE PERMIT FOR A
NON-EXCLUSIVE PIPELINE EASEMENT AT KAWAIHAE
HARBOR, HAWAII**

STATUTE: Sections 171- 11 and 55, Hawaii Revised Statutes.

APPLICANT: Mid Pac Petroleum, LLC.

PURPOSE: Non-Exclusive Easement for Two Subsurface six-inch fuel pipelines for the distribution of petroleum products

LOCATION: Adjacent to Pier 1, Kawaihae Harbor, Hawaii, being a portion of TMK: 3rd/6-1-03 (Portion), as shown on the attached Exhibits "A," and "B." Exhibit "A" shows the easement portion that was formerly encumbered by Harbor Lease No. H-92-2. Exhibit "B" shows the new easement that will also be included in the revocable permit.

STATUS: Encumbered by Governor's Executive Order No. 1862, which sets aside the land to the Harbors Division, Department of Transportation.

AREA:

- I. Exhibit "A": Approximately 1,540 square feet.
- II. Exhibit "B": Approximately 2,509 square feet.

ZONING: State Land Use Commission: Urban
County of Hawaii: MG-1A (General Industrial)

LAND TITLE

STATUS: Subsection 5 (b) land of the Hawaii Admission Act, ceded.

COMMENCEMENT

DATE: To be determined by the Director of Transportation.

RENTAL: \$117.00

CHAPTER 343, ENVIRONMENTAL

ASSESSMENT: The project is exempt from OEQC requirements pursuant to Sub-Chapter 11-200-8 of the Hawaii Administrative Rules that exempts the "operation, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing."

REMARKS: Harbor Lease No. H-92-2 for the pipeline easement (Exhibit "A") expired on October 31, 2006 and the applicant requests to continue use of the pipeline as well as the easement requested in Exhibit "B." Damages at Kawaihae Harbor in the aftermath of the October 15, 2006 earthquake are still being assessed, and there is a possibility that the pipelines may have to be relocated. As such, the issuance of a revocable permit for these pipelines rather than a lease is advised at this time.

RECOMMENDATION:

That the Board authorize the issuance of a revocable permit to the applicant, subject to the terms and conditions outlined above and incorporated herein be reference and such terms and conditions as may be prescribed by the Director of Transportation.

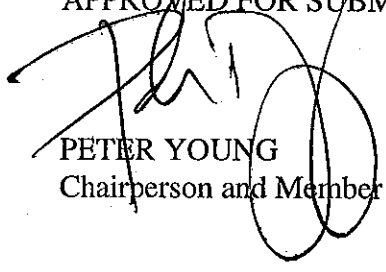
Respectfully submitted,

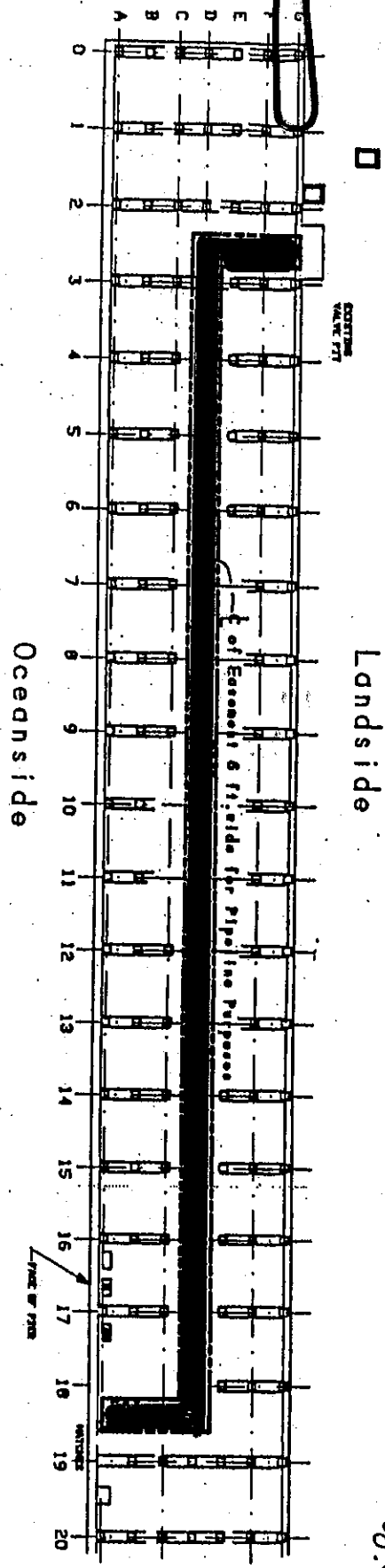
Francis Paul Keene

/s/ RODNEY K. HARAGA
Director of Transportation

Attachments

APPROVED FOR SUBMITTAL:


PETER YOUNG
Chairperson and Member



PLAN. EXISTING PIER

Plan Showing

Centerline of Unocal's Pipeline
Easement (6-foot wide) at
Kawaihae Harbor. Kawaihae. Hawaii

Tax Map Key: 6-1-03

Area of Easement: 1.540 Square Feet
for UNOCAL. HAWAII

EXHIBIT "A"



